

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:04CR3140
)	
Plaintiff,)	MEMORANDUM
vs.)	AND ORDER
)	
JOSEPH W. MONDAY,)	
)	
Defendant.)	

This matter is before the court on a written report and recommendation by Magistrate Judge Piester, issued on August 31, 2005 (filing 39), recommending denial of Defendant's motion to suppress (filing 29). Defendant has not filed a statement of objections pursuant to NECrimR 57.3 and 28 U.S.C. § 636(b)(1).

I have conducted a de novo review of the record. I find that inasmuch as the Magistrate Judge has fully, carefully, and correctly found the facts and applied the law, the report and recommendation should be adopted and Defendant's motion to suppress should be denied in all respects.

IT IS ORDERED that:

1. the Magistrate Judge's report and recommendation (filing 39) is adopted; and
2. Defendant's motion to suppress (filing 29) is denied in all respects.

DATED: September 22, 2005.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge